



# Stalking Protection Act 2019

## 2019 CHAPTER 9

### *Stalking protection orders*

#### **1 Applications for orders**

- (1) A chief officer of police may apply to a magistrates' court for an order (a "stalking protection order") in respect of a person (the "defendant") if it appears to the chief officer that—
  - (a) the defendant has carried out acts associated with stalking,
  - (b) the defendant poses a risk associated with stalking to another person, and
  - (c) there is reasonable cause to believe the proposed order is necessary to protect another person from such a risk (whether or not the other person was the victim of the acts mentioned in paragraph (a)).
- (2) A stalking protection order is an order which, for the purpose of preventing the defendant from carrying out acts associated with stalking—
  - (a) prohibits the defendant from doing anything described in the order, or
  - (b) requires the defendant to do anything described in the order.
- (3) A chief officer of police for a police area in England and Wales may apply for a stalking protection order only in respect of a person—
  - (a) who resides in the chief officer's police area, or
  - (b) who the chief officer believes is in that area or is intending to come to it.
- (4) A risk associated with stalking—
  - (a) may be in respect of physical or psychological harm to the other person;
  - (b) may arise from acts which the defendant knows or ought to know are unwelcome to the other person even if, in other circumstances, the acts would appear harmless in themselves.
- (5) It does not matter—
  - (a) whether the acts mentioned in subsection (1)(a) were carried out in a part of the United Kingdom or elsewhere, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) whether they were carried out before or after the commencement of this section.
- (6) See section 2A of the Protection from Harassment Act 1997 for examples of acts associated with stalking.